

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

UNITED STATES OF AMERICA, )  
 )  
PLAINTIFF, )  
 )  
v. ) Case No.: 3:16-cv-00489-WHB-JCG  
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 )  
HINDS COUNTY, et al., )  
 )  
DEFENDANTS. )  
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**MEMORANDUM OF LAW IN SUPPORT OF JOINT MOTION TO APPOINT  
ELIZABETH LISA SIMPSON AS MONITOR**

Plaintiff, United States of America, and Defendants, Hinds County, et al., jointly and respectfully request that the Court appoint Elizabeth Lisa Simpson as the Monitor in this case.

Under the terms of the Settlement Agreement, the Court's approval is required for the appointment of the Monitor.<sup>1</sup> Settlement Agreement, Section VII. The Settlement Agreement requires Defendants to retain a Monitor to assess their implementation of, and compliance with, the Agreement, and to report those findings to the Court. See Settlement Agreement, Section VII. The Agreement allows the parties to jointly submit a monitor candidate to the Court for

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<sup>1</sup> The Settlement Agreement also states that the Monitor may retain subject matter experts to assist her in evaluating various provisions of the Agreement. Settlement Agreement Par. 141 (Doc. 8-1). For instance, the Monitor may retain a mental health professional to assist her in assessing the Defendants' compliance with the mental health provisions in the Agreement. It is the Parties' understanding that Ms. Simpson will retain several subject matter experts to assist her, particularly in the areas of medical and mental health, juveniles, and security.

approval. Settlement Agreement Par. 136 (Doc. 8-1); *see also* Fed. R. Evid. 706.

The parties propose that the Court approve Elizabeth Lisa Simpson as the Monitor.

Attached as Exhibit A is Ms. Simpson's curriculum vitae. We set forth below details on her background and qualifications.

### **I. Ms. Simpson's Background and Qualifications**

Ms. Simpson is well-qualified to serve as the Monitor. Her legal training and practical experience give her the types of skills needed for this position, which include the ability to organize and analyze information involving different, complex subject areas; an understanding of jail and criminal justice issues; the ability to provide helpful technical assistance; and good writing and oral communication skills.

Ms. Simpson is an attorney licensed to practice in New Mexico. She graduated from Harvard Law School in 1981. Ms. Simpson's practice includes working on public initiatives to improve jail conditions and develop reentry programs. She has been involved in these efforts as a county advisor, attorney, non-profit founder and executive director, and policy director.

Early in her career, Ms. Simpson worked as an attorney in various roles including as a staff attorney for the United States Court of Appeals for the Ninth Circuit and as an attorney for the law firm, Tomita & Simpson. In her work as a private attorney, Ms. Simpson sought to ensure constitutionally adequate jail conditions for prisoners in New Mexico. Through this experience, Ms. Simpson was exposed to numerous jail facilities and became knowledgeable about the law related to constitutional conditions of confinement.

Ms. Simpson also has a long, demonstrated understanding of how broader criminal justice issues can affect jail conditions and has sought to improve the criminal justice system in both her home community and other areas. After her time in private practice, Ms. Simpson

served as the Founder and Executive Director of the Crossroads for Women organization in Albuquerque for over ten years. Crossroads is a non-profit organization that provides housing and supportive services to homeless women with co-occurring mental health and addictive disorders in order to reintegrate them into the community after incarceration. Ms. Simpson founded this organization from scratch and grew it to an agency with a million dollar budget and a capacity to serve 42 women. As the Executive Director, Ms. Simpson was responsible for program development, fundraising and grant writing, financial oversight, contract compliance, personnel, and community relations.

After leaving Crossroads for Women, Ms. Simpson worked for the Vera Institute of Justice as a Project Director for their Pretrial Services Program for two years. In that role, she was responsible for the design, development, and implementation of a pretrial services program for the City of New Orleans. Notably, Ms. Simpson assisted the City of New Orleans to develop a pretrial risk assessment instrument to ensure appropriate and the least restrictive supervision of detainees pending trial.

Since 2013, Ms. Simpson has been the technical advisor on jail population management and developing alternatives to incarceration for Bernalillo County, New Mexico. In that role, she assists the County in analyzing and improving the efficiency and fairness of its criminal justice system. Ms. Simpson has engaged a cross-section of stakeholders, including county commissioners, prosecutors, defense attorneys, local judges, and state agency officials to address the systemic deficiencies related to their jail. She has also encountered and helped overcome budget and other administrative hurdles typically faced by county governments.

Over the years, Ms. Simpson has received a number of prestigious awards, including induction into the New Mexico Women's Hall of Fame, the Dismas House Charlie Driscoll

Award, the YWCA Women on the Move Award, and Goodwill Industries' Human Services Executive of the Year Award.

## **II. Conclusion**

The parties submit that Ms. Simpson is an ideal candidate for the monitor position based upon her background and experience. The parties expect that her involvement will better enable the County to take effective steps to move toward compliance with the Settlement Agreement.

Accordingly, for the reasons set forth above, the Parties jointly ask the Court to approve Ms. Simpson as the Monitor.

Dated this 18th day of August, 2016.

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### CERTIFICATE OF SERVICE

I hereby certify that on August 18, 2016, I electronically filed the foregoing Memorandum of Law in Support of Joint Motion to Appoint Elizabeth Lisa Simpson Monitor, with the Clerk of the Court using the ECF system, which sent notification of such filing to the following:

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Dated this 18<sup>th</sup> day of August, 2016.

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